

# House File 60 - Introduced

HOUSE FILE \_\_\_\_\_  
BY TYMESON

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to a petition for a name change filed on behalf  
2 of a minor child under the age of fourteen.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 1494YH 83  
5 rh/rj/14

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1 1 Section 1. Section 674.6, Code 2009, is amended to read as  
1 2 follows:  
1 3 674.6 NOTICE == CONSENT.  
1 4 1. If the petitioner is married, the petitioner must give  
1 5 legal notice to the spouse, in the manner of an original  
1 6 notice, of the filing of the petition.  
1 7 2. If the petition includes or is filed on behalf of a  
1 8 minor child fourteen years of age or older, the child's  
1 9 written consent to the change of name of that child is  
1 10 required.  
1 11 3. If the petition includes or is filed on behalf of a  
1 12 minor child under fourteen, ~~both parents as stated on the~~  
~~1 13 birth certificate of the minor child shall file their written~~  
~~1 14 consent to the name change. If one of the parents does not~~  
~~1 15 consent to the name change, a hearing shall be set on the~~  
1 16 petition on twenty days' notice to the ~~nonconsenting parent~~  
1 17 both parents pursuant to the rules of civil procedure. At the  
1 18 hearing the court ~~may waive the requirement of consent as to~~  
~~1 19 one of the parents if it finds:~~  
1 20 1. ~~That the parent has abandoned the child;~~  
1 21 2. ~~That the parent has been ordered to contribute to the~~  
~~1 22 support of the child or to financially aid in the child's~~  
~~1 23 birth and has failed to do so without good cause; or~~  
1 24 3. ~~That the parent does not object to the name change~~  
~~1 25 after having been given due and proper notice shall determine~~  
1 26 whether, in the best interests of the child, the name change  
1 27 is warranted.

### EXPLANATION

1 28 This bill relates to a petition for a name change filed on  
1 29 behalf of a minor child under the age of 14.  
1 30 Current law provides that a petition for a name change  
1 31 filed on behalf of a minor child under the age of 14 requires  
1 32 the written consent of both parents. If one of the parents  
1 33 does not consent to the name change, a hearing shall be held  
1 34 upon proper notice to the nonconsenting parent, but the court  
2 1 may waive the consent requirement as to one of the parents if  
2 2 the court finds that the parent has abandoned the child, that  
2 3 the parent has been ordered to contribute to the support of  
2 4 the child or to financially aid in the child's birth and has  
2 5 failed to do so without good cause, or that the parent does  
2 6 not object to the name change after having been given due and  
2 7 proper notice.  
2 8 The bill eliminates the requirement that both parents must  
2 9 consent to the name change but requires the court to hold a  
2 10 hearing, upon proper notice to both parents, to determine  
2 11 whether, in the best interests of the child, a name change is  
2 12 warranted.  
2 13 LSB 1494YH 83  
2 14 rh/rj/14